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ART UNIT	PAPER NUMBER
2178	36

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 08/764,560	Applicant(s) KAKUTA ET AL.	
	Examiner Cong-Lac Huynh	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *27 January 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-27* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-27* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892) cf Paper #34
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: amendment filed on 1/27/04 for the application filed on 12/12/96, priority 3/5/96.

2. Claims 1-27 are pending in the case. Claims 1, 17, 21, 25, 26, and 27 are independent claims.

3. The form 892 attached to the previous office action which did not list the reference Wan (5,530,795), is corrected to include the Wan reference and attached to the office action.

4. The rejections of claims 1-3, 17-18, 21-22, 25-27 under 35 U.S.C. 103(a) as being unpatentable over Nakajima in view of Khoyi, Frank, and Wan have been withdrawn in view of Applicants' argument.

5. The rejections of claims 4-12, 16, 19-20, 23-24 under 35 U.S.C. 103(a) as being unpatentable over Nakajima in view of Khoyi, Frank, Wan, and further in view of Person have been withdrawn in view of Applicants' argument.

6. The rejections of claims 13-15 under 35 U.S.C. 103(a) as being unpatentable over Nakajima in view of Khoyi, Frank, Wan, Person, and further in view of Microsoft have been withdrawn in view of Applicants' argument.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole. It would have been obvious to one of ordinary skill in the art have been obvious to one of ordinary skill in the art have been obvious to one of ordinary skill in the art have been obvious to one of ordinary skill in the art have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103 (c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 1-3, 17-18, 21-22, 25-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima et al. (US Pat No. 5,659,791, 8/19/97) in view of Khoyi et al. (US Pat No. 5,421,015), and Wan (US Pat No. 5,530,795, 6/25/96, filed 2/15/94).

With respect to independent claim 17, Nakajima discloses:

-- obtaining information from the external application program in accordance with the result of the analysis (col 2, lines 20-43; col 1, lines 46-61, the scrap object is integrated

into a destination document or transferred between applications via a clipboard after the information is selected to be extracted from the document)

-- creating an information object in accordance with the obtained information and attribute information which includes object ID, object type and information type (col 6, lines 25-28, encapsulating of the selected information into an object is created automatically by the system to encapsulate the selected information in response to extracting and that is stored in the memory; col 5, lines 64-67, an object is a combination of data structure that hold *attribute data* and *functions that act upon the attribute data*; col 6, lines 64-67, giving a name for an object for *referencing the object*, which means each object must have an ID; col 5, lines 55-58, *recognizing of the information type to handle the reintegration of an object*)

It is noted that the "analyzing an event ...." step is inherently included in Nakajima since the obtaining step is performed in accordance with the result of the analysis.

Nakajima does not disclose the priority for showing of objects, time stamp, object link which are able to be modified after being created as an information object. Nakajima also does not disclose showing the information object such that the information object appears different from any non-selected information in the external program.

Khoyi discloses:

-- the object catalog including the object table and link table (figure 5)

-- the object table includes object identifiers, object type and object location (figure 6)

-- the link table includes link ID, link type, parent object identifiers, child object identifiers (figure 7)

-- the linking of data objects (col 3, lines 12-20; col 43, lines 1-11)

-- the ability of editing of the moved or copied objects (col 43, lines 66-67; col 44, lines 1-5)

-- the changing the manner of drawing the information object on the basis of the attribute information (col 3, lines 22-36)

-- *a new object is created at will by a user by modifying the object prototype in the object* prototype *table to change the characteristics of the object (col 3, lines 37-48, when the characteristics of an object is changed, the appearance of the object should be changed. In other words, the appearance of the selected object is different from the non-selected object)*

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Khoyi into Nakajima to have the information objects, for user selecting of information, which include object ID, object type, object link and the ability of modifying objects after created. As disclosed, the attribute information includes object ID, object type and object link, parent object ID and child object ID which are object ID of next object, thus motivating the including of the priority for showing objects and time stamp, which are other information data related to the object.

In addition, the fact that Nakajima shows that the information is selected as requested, transferred and integrated into a document of another application implies that the system can analyze an event for selecting information as well as creating an information object as desired.

In addition, Nakajima and Khoyi do not disclose *a transparent window* through which contents of the information controlled by the external application program is seen, said transparent window having a position and size being the same position and a same size as the application window, and wherein the position or the size of said window changes, said transparent window will automatically be changed to have the same position and size as that of said window.

Wan discloses the transparent window is moved and resized preferably automatically to cover the application window exactly (col 2, line 66 to col 3, line 24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Wan to include the feature of being seen through the transparent window, the same size and position of the transparent window and the application window, and automatically change the transparent window when the position and the size of the application window changes for the following reason. First, it was well known that the application window underlying the transparent window must be seen through the transparent window due to the transparency feature. Further, the fact that the transparent window when automatically moving *and resizing can cover exactly the application window suggests the positions and the sizes of the two windows be the same so that one can cover exactly the other. Also, the fact that the transparent window moves and resizes to cover exactly the application window suggests that there is some change for the application window so that the transparent window needs to resize to adjust the position and the size with the application window.*

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Wan into Nakajima and Khoyi to provide a transparency mechanism to present information, and easily view and edit information such that a user can see through a window to view and manipulate underlying data that would normally obscured.

With respect to claim 18, which is dependent on claim 17, Nakajima does not explicitly disclose returning the content of the selected information object to the original external application program from which the information object has been obtained or a specified external application program which is different from the original external application program.

Instead Nakajima discloses that the information is selected to be extracted from the document and transferred to a clipboard provided in the operating system using the scrap object. The selected information then is transferred from the clipboard to an application (col 1, lines 55-62). Nakajima also discloses that after the scrap object is created, it may be subsequently integrated into a document, including the document from which it originated (col 4, lines 53-56).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Nakajima to include the returning feature above to Nakajima because Nakajama provides the clipboard for transferring selected information between applications which include the original application and the application different from the original application.

Claim 21 is for a computer readable program code to perform the steps in claim 17, and is rejected under the same rationale.

Claims 2 and 3 are the system for performing the step in claim 18, and are rejected under the same rationale.

Claim 22 is the program code means for performing the step in claim 18, and is rejected under the same rationale.

With respect to independent claim 1, Nakajima discloses, as in claim 17:
-- storing contents and attribute information of an information object to be shown, the attribute information being concerned with showing the information object and including object ID, object type, information type (col 6, lines 25-28, the selected information is created automatically by the system in response to extracting and these objects are stored in the memory; col 5, lines 64-67, an object is a combination of data structure that hold attribute data and functions that act upon the attribute data; col 6, lines 64-67, giving a name for an object for referencing the object which means each object must have an ID; col 5, lines 55-58, recognizing of the information type to handle the reintegration of an object)
-- drawing information object on said transparent window in accordance with the content and attribute information relating to the display of the object stored in said information storing unit, and changing a manner of drawing the information object on the basis of the attribute information (col 3, lines 37-48, modifying objects by changing the objects' characteristics)
-- performing at least any one of processes including a process of controlling said information storing unit, a process of controlling said message transmitting unit and a process of controlling said drawing unit, in accordance with the result of the analysis

reported from said event analyzing unit (col 2, lines 20-43; col 1, lines 46-61; col 3, lines 25-35; the information is selected, transferred and integrated into another document using a scrap object as a vehicle for interapplication transfer of information)

-- transmitting a control message to an external application program in order to get a selected information in the external application program (col 2, lines 20-43; col 1, lines 46-61; col 3, lines 25-35; transmitting messages is inherently included in the performing step, otherwise information selection, transferring, or integrating can not be performed)
-- analyzing all the events from an operation system and reporting a result of the analysis (col 2, lines 55-60, operating system provides code for a clipboard and code for implementing a user interface; col 3, lines 25-40, role of the mouse and the operating system in the drag-and-drop mechanism used to create a scrap object in which the movement of the mouse, the depression and the release of the mouse button, each constitutes an event that is translated by the operating system into a message, and the operating system post most of the mouse messages into a message queue for a currently executing application program; reporting a result of the analysis is inherently included in the performed step since the performing step is carried out in accordance with the result of the analysis)
Nakajima does not disclose the priority for showing of objects, time stamp, object link which are able to be modified after being created as an information object. Nakajima also does not disclose showing the information object such that the information object appears different from any non-selected information in the external program.
Khoyi discloses:

-- the object catalog including the object table and link table (figure 5)

-- the object table includes object identifiers, object type and object location (figure 6)

-- the link table includes link ID, link type, parent object identifiers, child object identifiers (figure 7)

-- the linking of data objects (col 3, lines 12-20; col 43, lines 1-11)

-- the ability of editing of the moved or copied objects (col 43, lines 66-67; col 44, lines 1-5)

-- the changing the manner of drawing the information object on the basis of the attribute information (col 3, lines 22-36)

-- a new object is created at will by a user by modifying the object prototype in the object prototype *table to change the characteristics of the object (col 3, lines 37-48, when the characteristics of an object is changed, the appearance of the object should be changed. In other words, the appearance of the selected object is different from the non-selected object)*

In addition, Nakajima and Khoyi do not disclose *a transparent window* through which contents of the information controlled by the external application program is seen, said transparent window having a position and size being the same position and a same size as the application window, and wherein the position or the size of said window changes, said transparent window will automatically be changed to have the same position and size as that of said window.

Wan discloses the transparent window is moved and resized preferably automatically to cover the application window exactly (col 2, line 66 to col 3, line 24).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified Wan to include the feature of being seen through the transparent window, the same size and position of the transparent window and the application window, and automatically change the transparent window when the position and the size of the application window changes for the following reason. First, it was well known that the application window underlying the transparent window must be seen through the transparent window due to the transparency feature. Further, the fact that the transparent window when automatically moving *and resizing can cover exactly the application window suggests the positions and the sizes of the two windows be the same so that one can cover exactly the other. Also, the fact that the transparent window moves and resizes to cover exactly the application window suggests that there is some change for the application window so that the transparent window needs to resize to adjust the position and the size with the application window.*

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Wan into Nakajima and Khoyi to provide a transparency mechanism to present information, and easily view and edit information such that a user can see through a window to view and manipulate underlying data that would normally obscured.

Independent claim 25 includes part of limitations of claims 1, and is rejected under the same rationale.

Independent claim 26 is for the computer-readable program code for the method claim 25, and is rejected under the same rationale.

Independent claim 27 includes limitations disclosed in claim 1, and therefore is rejected under the same rationale.

10. Claims 4-12, 16, 19-20, 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima in view of Khoyi, and Wan as applied to claim 17 above, and further in view of Person (*Using Windows 3.1*, 1993).

With respect to claim 19, which is dependent on claim 17, Nakajima, Khoyi, and Wan do not disclose the editing of the contents of the selected information objects after created. Person discloses the editing the contents of the embedded objects in a document (p.235, 236, 521, 522).
It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated Person to Nakajima because Nakajama shows the transferring selected information objects and Person shows the editing the selected information objected after created.

With respect to claim 20, which is dependent on claim 17, Nakajima shows the combining objects when a scrap object integrated into another object of other document. Nakajima also discloses the class object that refers to a group of objects thus all scrap objects belong to the scrap object class have the same type of attributes and functions (col 3, lines 1-12). Nakajima does not show the editing process including moving objects, deleting objects, changing objects and creating objects.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have included moving, deleting, changing and creating objects since it was well known that a user can (a) move an object from one location to another by using the drag-and-drop mechanism, (b) delete an object by highlighting the object and pressing the delete key, (c) change an object by highlighting a portion of the object and pressing the delete key to remove that portion, (d) to create a new information object by selecting a portion of an object and save It under a different name.

Claim 23 is a computer program code means to perform the functions of claim 19, and is rejected under the same rationale.

Claim 24 is a computer program code means to perform the functions of claim 20, and is rejected under the same rationale.

Claims 4-10 are for the means included in the system to perform the functions disclosed in claim 20, and are rejected under the same rationale.

With respect to claim 11, which is dependent on claim 10, Nakajima, Khoyi, and Wan do not disclose that when a selected text or graphics is moved, the rest of the document is moved to maintain the relative location in the document.
However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have incorporated that feature into Nakajima, Khoyi, and Wan since it was well known in the art when a selected text or graphics is moved, the rest of the document is moved to maintain the relative location in the document.

With respect to claim 12, which is dependent on claim 10, the fact that a file subdirectory containing a plurality of files including the index file, if the index files is selected and deleted, the whole subdirectory is deleted, can be applied to the object group as claimed.

With respect to claim 16, which is dependent on claim 10, Nakajima does not disclose that an information object belonging to any one of information object groups and an information object which does not belong to any information object group are shown on the window by different ways. Person discloses the document including the information selected from different applications. The display of the whole document is different from the display of only the information from Microsoft Excel which is the graph and the table (page 208). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Person into Nakajima because Person shows the display of the combined document, including text and graphics, which is different from the document from Excel which includes only the graph and table.

11. Claims 13-15 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Nakajima in view of Khoyi, Wan, and Person as applied to claim 10 above, and further in view of Microsoft (*Microsoft Windows User's Guide*, 1992).

With respect to claim 13, which is dependent on claim 10, Nakajima, Khoy, Wand and Person do not disclose the relationship of the selected information object in the information object group is canceled when one information object in the information object group is selected.

Microsoft discloses that when deleting a link from an Cardfile object embedded in a Write document, both the link to the drawing and the drawing are removed from the document (p. 502).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Microsoft into Nakajima, Khoy, Frank, Wand and Person since the fact that the *removing* of the link to the drawing and the drawing when deleting a link from an object embedded in the document suggests selecting the object before deleting and canceling the relationship of the object and other objects embedded in the document.

With respect to claims 14 and 15, Nakajima, Khoyi, Person and Microsoft do not disclose that when the two objects are selected and the hierarchical relationship is given to the selected information objects to form the information object group, and when one of them is deleted, the other is removed, too.

However, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to have modified to include in Nakajima, Khoyi, Person and Microsoft said forming the information object group based on the selected objects and their given hierarchical relationship and said deleting feature since it was well known that if two selected objects has a hierarchical relationship, when one is deleted, the other is removed, too due to the inheritance.

Response to Arguments

12. Applicant's arguments filed 1/27/04 have been fully considered but they are not persuasive.

Applicants argue that Wan does not disclose that the transparent window is automatically moved in accordance with the change in the position of the underlying application but instead, merely discloses that the transparent window moves and resizes preferably automatically to cover the common application window exactly (Remarks, page 9).

Examiner respectfully disagrees.

Though Wan does not disclose explicitly the change in the position of the underlying application so that accordingly, the transparent window will be changed automatically, the fact that the transparent window moves and resizes automatically to cover the application window exactly suggests that the application window do have some change so that the transparent window needs to move and resize. Otherwise, the transparent window can not cover the application window exactly. Therefore, Wan does teach and suggest the argued feature.

Applicants also argue that since Frank teaches varying the degree of transparency of overlapping window, but does not teach that these windows have the same size and position, the combination of Frank and Wan is not proper (Remarks, page 9).

Examiner agrees.

Frank has been withdrawn from the rejection.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 703-305-0432. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 703-308-5186. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Clh
3/27/04

STEPHEN S. HONG
PRIMARY EXAMINER